

**Notice of Allowability**

Application No.

09/263,812

Examiner

George Eng

Applicant(s)

MILLER ET AL.

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/14/2004.
2. ☒ The allowed claim(s) is/are 1,4,7-9,13,14,16 and 20.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☒ to Paper No./Mail Date 3/9/2001.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

  
**GEORGE ENG**  
**PRIMARY EXAMINER**

Amendment  
8/24/04  
Smc

## EXAMINER'S AMENDMENT AND STATEMENT OF REASONS FOR ALLOWANCE

### *Examiner's Amendment*

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher W. Brody (Reg. No. 33,613) on 8/20/2004.

2. The application has been amended as follows:

F) 1. (amended) A restaurant videoconferencing system comprising:

a) a first plurality of booths installed as part of at least a first restaurant located in a first geographic location, a number of the first plurality of booths being located in an open area designed to promote high quality video conferencing, dining as well as to accommodate movement of restaurant workers and patrons, wherein the plurality of first booths are open to each other to promote a restaurant interactive social atmosphere;

b) a second plurality of booths installed as part of at least a second restaurant located in a second geographic location, a number of the second plurality of booths being located in an open area sized to accommodate movement of restaurant workers and patrons, wherein the plurality of [first] second booths are open to each other;

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F' c) the number of booths in each of the first and second locations being equipped with at least one flat viewing screen and connected via a private network providing both videoconferencing between booths in different geographic locations and multi-media access for each booth, wherein each booth has a curved table with a plurality of seating areas, directional microphones and speakers integrated within each booth, the curved table and the plurality of seating areas arranged so that viewing screen is sized and located to be visible from the plurality of seating areas, the plurality of seating areas further arranged so that individuals seated therein are in a face to face relationship during video conferencing with other individuals at a remote booth, the flat viewing screen having a wide aspect ratio and near eye level camera to enhance camera functionality and allow images of the plurality of individuals to fit in a natural configuration on the flat viewing screen during videoconferencing, adjacent booths separated by glass partitions to maximize booth privacy and inter-party communication and minimize intra-booth noise, and the table sized to accommodate serving a meal to a plurality of individuals in the seating areas;

wherein the booths of the first geographic location are in a different time zone from the booths in the second geographic location;

wherein each booth has high speed internet access, access to cable or satellite TV, access to a central server of computer games and programs, and access to productivity tools and resources;

wherein the booths in each of the restaurants:

i) [contain] are equipped with videoconferencing equipment that is part of the restaurant and which enables booths to videoconference with other booths within the [videoconferencing]

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F1  
private network and is capable of at least [MPeg-2] MPEG-2 speeds, and a computer having internet functionality, codec for compression and decompression of videoconferencing signals, a keyboard, and a devices for multimedia access, and

ii) are connected to a point of sale system adapted to track and charge use of the multimedia access and videoconferencing by patrons in each booth.

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F2  
3  
X (amended) The system of claim 1, wherein each [location] restaurant also includes at least one room, [each] said at least one room having videoconferencing capability [with a room or booth in a different location] for a group of patrons to perform videoconferencing with other individuals at other restaurants via the private network.

4  
X (amended) The system of claim X wherein [each location] said at least one room has a computer station with videoconferencing capability [in addition to the rooms and booths] for an individual to perform videoconferencing with other individuals at other restaurants via the private network.

69  
X (amended) A method of restaurant videoconferencing comprising the steps of:  
a) providing a plurality of videoconferencing booths in each of a number of restaurants, wherein at least two restaurants are in different time zones, each restaurant in a particular geographic location, the plurality of videoconferencing booths of each restaurant are installed as part of the restaurant and are located in an open area sized to accommodate movement of restaurant workers and patrons wherein the plurality of videoconferencing booths are open to

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F2  
each other to promote a restaurant interactive social atmosphere, wherein each booth has a flat viewing screen, a curved table with a plurality of seating areas, directional microphones and speakers integrated with the booth, the plurality of seating areas arranged so that viewing screen is visible from the plurality of seating areas, the plurality of seating areas further arranged so that individuals seated therein are in a face to face relationship during video conferencing with other individuals at a remote booth, the flat viewing screen having a wide aspect ratio and near eye level camera to enhance camera functionality and allow the plurality of individuals to naturally fit on the flat viewing screen during videoconferencing, adjacent booths separated by glass partitions to maximize booth privacy and inter-party communication, and the table sized to accommodate serving a meal to a plurality of individuals in the seating areas; [and]

b) conducting videoconferencing between users in at least two booths in different restaurant locations at speeds of at least [MPeg-2] MPEG-2 using a codec in each booth for decompression and compression while offering food and beverages to the users in each booth, wherein the booths in the number of restaurants are interconnected by a private videoconferencing network, and [contain] each booth is equipped with videoconferencing equipment as part of the restaurant [and which enables booths] for enabling videoconferencing [to videoconference] with booths at another restaurant in different geographic location; and

c) providing on site support by live personnel to aid in selection of media resources, videoconferencing, and technical assistance as needed;

[d)] wherein each of internet surfing, computer gaming, resources and computer programs are provided during step (a) via computer hardware located at each booth, and one or more of cable TV viewing, broadcast TV viewing, satellite TV are provided during step (a); and

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F2 a plurality of individuals are present at each booth and interact at each booth for one of social and business pleasure in a public setting; and

[e)] wherein patrons in each booth are charged for videoconferencing and services [of steps b and d] using a point of sale system.

F3 <sup>7</sup>13. (amended) The method of claim <sup>6</sup>13, comprising the step of providing videoconferencing capability in private rooms [and computer stations in addition to the booths for users of the restaurant] for a group of patrons to perform videoconferencing with other individuals at other restaurants via the private network.

<sup>8</sup>14. (amended) The method of claim <sup>7</sup>13, comprising the step of providing videoconferencing capability in rooms [and computer stations situated in each location in addition to the booths for users of the restaurant] for an individual to operate a computer station to perform videoconferencing with other individuals at other restaurants via the private network.

F4 <sup>9</sup>20. (amended) The method of claim <sup>6</sup>13, where said at least two restaurants are located in different [in the] countries [are separated by an ocean].

***Examiner's Statement of Reasons for Allowance***

3. Claims 1, 4, 7-9, 13-14, 16 and 20 are allowed.

4. The following is an examiner's statement of reasons for allowance:

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Applicant's invention is drawn to a system and method for combining restaurant services with video conferencing and multi-media access for diverse customer appeal (i.e., a number of media booths in a number of restaurants whereby each booth in one restaurant site integrated with videoconferencing equipment for providing videoconference with booths in other second restaurant site remote from the first restaurant site as part of restaurant network, wherein each booth provides multi-media access including satellite TV, cable, broadcast TV, computer programs and gaming, Internet access, and each restaurant site is linked to a local area network of each other restaurant site forming a corporate Intranet that allows media uses and various mangement).

Applicant's independent claim 1 recites, *inter alia*, a restaurant videoconferencing system with a structure as defined in the specification (page, 5-12) including the number of booths in each of the first and second locations being equipped with at least one flat viewing screen and connected via a private network providing both videoconferencing between booths in different geographic locations and multi-media access for each booth, wherein each booth has a curved table with a plurality of seating areas, directional microphones and speakers integrated within each booth, the curved table and the plurality of seating areas arranged so that viewing screen is sized and located to be visible from the plurality of seating areas, the plurality of seating areas further arranged so that individuals seated therein are in a face to face relationship during video conferencing with other individuals at a remote booth, the flat viewing screen having a wide aspect ratio and near eye level camera to enhance camera functionality and allow images of the plurality of individuals to fit in a natural configuration on the flat viewing screen during videoconferencing, adjacent booths separated by glass partitions to maximize booth privacy and

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inter-party communication and minimize intra-booth noise, and the table sized to accommodate serving a meal to a plurality of individuals in the seating areas, wherein the booths in each of the restaurants are equipped with videoconferencing equipment that is part of the restaurant and which enables booths to videoconference with other booths within the private network and is capable of at least MPEG-2 speeds, and a computer having internet functionality, codec for compression and decompression of videoconferencing signals, a keyboard, and a devices for multimedia access, and are connected to a point of sale system adapted to track and charge use of the multimedia access and videoconferencing by patrons in each booth. Applicant's independent claim 1 comprises a particular combination of the elements, which is neither taught nor suggested by the prior art.

Applicant's independent method claim 9 recites, *inter alia*, providing a plurality of videoconferencing booths in each of a number of restaurants, wherein at least two restaurants are in different time zones, each restaurant in a particular geographic location, the plurality of videoconferencing booths of each restaurant are installed as part of the restaurant and are located in an open area sized to accommodate movement of restaurant workers and patrons wherein the plurality of videoconferencing booths are open to each other to promote a restaurant interactive social atmosphere, wherein each booth has a flat viewing screen, a curved table with a plurality of seating areas, directional microphones and speakers integrated with the booth, the plurality of seating areas arranged so that viewing screen is visible from the plurality of seating areas, the plurality of seating areas further arranged so that individuals seated therein are in a face to face relationship during video conferencing with other individuals at a remote booth, the flat viewing screen having a wide aspect ratio and near eye level camera to enhance camera functionality and



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allow the plurality of individuals to naturally fit on the flat viewing screen during videoconferencing, adjacent booths separated by glass partitions to maximize booth privacy and inter-party communication, and the table sized to accommodate serving a meal to a plurality of individuals in the seating areas, conducting videoconferencing between users in at least two booths in different restaurant locations at speeds of at least MPEG-2 using a codec in each booth for decompression and compression while offering food and beverages to the users in each booth, wherein the booths in the number of restaurants are interconnected by a private videoconferencing network, and each booth is equipped with videoconferencing equipment as part of the restaurant for enabling videoconferencing with booths at another restaurant in different geographic location, providing on site support by live personnel to aid in selection of media resources, videoconferencing, and technical assistance as needed. These steps, in combination of the remaining steps, are neither taught nor suggested by the prior art.

Accordingly, Applicant's claims are allowed for these reasons and for the reasons recited by Applicant in Amendments filed 7/9/2001, 1/11/2002, 4/2/2003, 11/14/2003 and 6/14/2004.

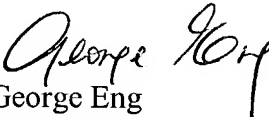
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
George Eng  
Primary Examiner  
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